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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,753	12/08/2003	Shigeru Murata	2003_1575A	9368
	7590 12/07/200 I, LIND & PONACK, I	EXAMINER		
2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			WEINSTEIN, LEONARD J	
			ART UNIT	PAPER NUMBER
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			MAIL DATE	DELIVERY MODE
			12/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/728,753	MURATA, SHIGERU	
Examiner	Art Unit	
Leonard J. Weinstein	3746	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address ITER REPLY FILED 23 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. Since place the subject of the provide of the control of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.114. The reply must be filed within one of the following places (1) and the policy of the part of the reply expires on: (1) the mailing date of the final rejection.  2. The part of the reply expires on: (1) the mailing date of the final rejection. Provided the final rejection in the part of	<b>a</b>	Leonard J. Weinstein	3/46	
THE REPLY FILED 23 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  I. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must tirrely file one of the following replies: (f) an amendment, affidavid, or other evidence, which is application, applicant must tirrely file one of the following replies: (f) an amendment, affidavid, or other evidence, which is application, applicant must thereby file one of the following replies: (f) an amendment, affidavid, or other evidence, which is application, applicant must be filed within one of the following replies: (f) an amendment, affidavid, or other evidence, which must be filed within one of the following replies of the final rejection.  a) The period for reply expires 3 months from the mailing date of the final rejection.  by The period for reply expires on (f) the mailing date of the Advisory Action, or (2) the date set forth in the final rejection.  Examiner Note: It box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL RELECTION. Set MFEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension in flower of the file of the		ears on the cover sheet with the	correspondence add	ress
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one or the following replies (1) an amendment, affidavit, or other detroeur, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31; or a Request for Continued Examination (RCE) in compliance with 37 CFR 4.1.31. The reply must be filed within one of the following the period for reply expires on; (1) the mailing date of the final rejection.  □ Prior Notice (1) the statutory period for reply expires on; (1) the mailing date of the final rejection.  □ Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 760 0.70).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension rander 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final origication, or (2) set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely final replection and the corresponding amount of the fee. The final rejection of the date for purposes of adterminating the period of the shortened statutory period for reply originally set in the final forthee action. or (2) set forth in (2) above, if checked. Any reply reply reply the Office later than three months after the mailing date of the final rejection, even if timely filed any reply rep				
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Examiner Note: If box 1s checked, check either box (a) or (b). ONLY-OHECK BOX (b) WHENEN THE FIRS PLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension for nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension for mare been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension for mare been filed to the date of filing a the form of the fee. The appropriate extension for mare device any earned patent term adjustment. See 37 CFR 1.74(b).  MOTICE OF APPEAL  I have Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date filing the Notice of Appeal was filed and A brief in compliance with 37 CFR 41.37(a) used dismissal of the appeal. Sin a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, with a prior be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);  (b) ☐ They raise the issue of new matter (see NOTE below);  (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet. (See 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  Applicant's reply has overcome the following rejection(s):		e of the final rejection.		
TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fe have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension for many of the provided form: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2 set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely file and the provided of the final rejection. And the provided of the final rejection, even if timely file and the provided of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Sin a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  **MENDMENTS**  3. **Amental of the proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) **They raise new issues that would require further consideration and/or search (see NOTE below);  (b) They raise the issue of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: **See Continuation Sheef.** (See 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. **Applicant's reply has overcome the following rejection(s):	no event, however, will the statutory period for reply expire	later than SIX MONTHS from the mailin	ig date of the final rejecti	on.
nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension 1 moter 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originate yst in the final Office action: (2) set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely finany reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL  2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Sin a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);  (b) ☐ They arise the issue of new matter (see NOTE below);  (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).  1. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  3. ☐ Newly proposed or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) Proposed or appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is	TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	706.07(f).		
<ul> <li>2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 (a)), to avoid dismissal of the date filling the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Sin a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).</li> <li>AMENDMENTS</li> <li>3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(b) ☐ They raise the issue of new matter (see NOTE below);</li> <li>(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</li> <li>(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.</li> <li>NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).</li> <li>4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).</li> <li>5. ☐ Applicant's reply has overcome the following rejection(s):</li></ul>	nave been filed is the date for purposes of determining the period of example 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b	ktension and the corresponding amount shortened statutory period for reply orig tr than three months after the mailing da	of the fee. The appropr ginally set in the final Offi	iate extension fee ce action; or (2) as
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how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) rejected:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary as was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  DEVON C. KARALLER AND Weinstein  Leonard Weinstein	non-allowable claim(s).			
Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration: Claim(s) withdrawn from consideration: The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary awas not earlier presented. See 37 CFR 1.116(e). The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  Leonard Weinstein	how the new or amended claims would be rejected is pro	☐ will not be entered, or b) ☐ wovided below or appended.	ill be entered and an o	explanation of
Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8.				
Claim(s) rejected:				
AFFIDAVIT OR OTHER EVIDENCE  B. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary a was not earlier presented. See 37 CFR 1.116(e).  D. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  DEVON C. KANDER Weinstein  Leonard Weinstein				
The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary a was not earlier presented. See 37 CFR 1.116(e).  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  DEVON C. Karania.  Leonard Weinstein	Claim(s) withdrawn from consideration:			
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REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  13. Other:  DEVON C. KARLENTER LEONARD Weinstein	The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under apperry and was not earlier presented.	eal and/or appellant fa See 37 CFR 41.33(d)(	ils to provide a 1).
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DEVON C. KRANDER Leonard Weinstein		ut does NOT place the application	in condition for allowa	nce because:
DEVON C. KRANDER Leonard Weinstein	12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08) Paper No(s)	. //.//	
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West / Mil		1/21	•	

Continuation of 3. NOTE: The modification to the limitations that sets forth "wall of said main body block into an annular space defined between an axially extending outer annular portion of said main ring and an axially extending inner annular portion of said main ring" and the addition of "threading said sub ring onto said pilot valve assembly block, an axial force is applied by said sub ring to said main ring to prevent rotational movement thereof and said pilot valve assembly block is pressed against" to claim 1, provides a limitation that was not previously disclosed with respect to claims 6-9 and would require further consideration and/or search.